

Public Notice

**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

**Reply To:
U.S. Army Corps of Engineers
Attn: Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833**

Public Notice No.

P-2604

Public Notice Date

February 15, 2007

Expiration Date

March 8, 2007

Postmaster Please Post Conspicuously Until:

File Number: MVS-2006-873

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

COMMENTS AND ADDITIONAL INFORMATION: All comments and/or requests for public hearing must reach this office no later than the expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Mr. Rob Gramke

APPLICANT: Missouri Department of Conservation, P.O. Box 180, Jefferson City, Missouri 65102 and The Wilkie Land Company, 2856 Saeger, Millstadt, Illinois, 62260.

AGENT: Ducks Unlimited, Inc., Attn: Mr. George Seek, 32175 Highway W, Meadville, Missouri 64659.

LOCATION: The project site is located near the intersection of Missouri Highway 94 and Missouri Route H off of Island Road. More specifically, the site is located in Sections 19, 20, 24, and 26, Township 48 North, Range 5 East, St. Charles County, Missouri.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and construction in conjunction with the Marais Temps Clair Wetland Restoration. The improvements will allow improved wetland management of over 550-acres that are permanently protected as a conservation area through public ownership by the Missouri Department of Conservation and a permanent conservation easement held by Ducks Unlimited on the Wilkie Land Company Property. This area is a remnant oxbow of the Missouri River that has been used primarily as a duck hunting area since the early 1900's. There are many different ditches, dikes, and water control structures throughout the site that were constructed over the last 100 years. The primary purpose of this project is to restore the Marais Temps Clair Marsh by removing unnecessary dikes, water control structures, cleaning ditches,

repairing dikes, building new low-profile dikes, improving water delivery/drainage systems and by improving wetland management techniques. Improved wetland management techniques include providing natural hydrology during both the fall and the spring migration periods, enhanced wildlife food supplies, retention of cavity and dead trees for future cavity nesting wildlife, timber stand improvement to include thinning of the Black Willow, establishment of desirable native plant communities, controlled burns, and improved water management techniques.

Construction activities on the Missouri Department of Conservation's Marais Temps Clair Conservation Area include the construction of a new levee and the modification of two existing well discharges. The improvements will enhance approximately 36-acres of emergent wetland. Currently this site lacks hydrology and the remaining 110-acres of the wetland unit must be deeply flooded to inundate the area. The shallow water levels are more desirable for waterfowl, migratory birds, and resident wildlife.

Construction activities on the Wilkie Land Company's area of the project are listed below. They are designed to enhance 160-acres of emergent wetland and for the enhancement/restoration of 125-acres of forested wetland that is degraded by siltation and current water management practices necessary to keep adjacent agricultural lands drained in the spring and early fall. Proposed Wilkie Improvements:

1. Relocation of the Cross Levee between Units A and B (2,395 lf (linear feet)).
2. Construction of Two New Levees in Unit F (3,869 lf)
3. Removal of six existing levees (5559 lf/12,623 yd³)
4. Construction of three water conveyance flumes (5,573 lf)
5. The clean out of three existing drainage ditches.
6. Conversion of the central water distribution area to allow year-round open drain to hwy 94 ditch.
7. Removal of 24 existing culvert pipes/gates.
8. Construction/Placement of 24 new water control structures.
9. Modification of three existing well discharges.
10. Creation and restoration of shallow wetland pools/swales.
11. Maintenance and repair of serviceable levees.

Some of the improvements listed above are necessary to improve and restore the hydrology of Unit F. Currently, Unit F receives large amounts of stormwater from adjacent property owners. This stormwater is routed through the site by a series of man-made ditches and the water exits the site on the north. This design has required Wilkie to keep Unit F drawn down or very low throughout most of the year, so that the water would drain from the adjacent properties. The new design and proposal will allow the off-site stormwater that drains from the south and from the northeast to flow freely through reconstructed ditches to the Highway 94 ditch. Therefore, the stormwater will remain on the exterior of the wetland units, allowing the units to be managed in a more natural way by allowing water to stay on the site during both spring and fall migration. This design should improve the drainage for the adjacent property owners, and will allow the wetlands to be managed in way that benefits plant species diversity and wildlife habitat and resting area. Wilkie will no longer have to drain the entire site to allow off-site stormwater to be routed through the site. In addition to this improved drainage for the benefits of the adjacent property owners, the purpose of the new levees in Unit F is to ensure that water used to enhance the forested wetland is contained on the Wilkie Property and does not inundate the adjacent property owners.

The total land disturbance associated with the project is approximately 64-acres. However, approximately 46-acres of the disturbance would be located in emergent/farmed wetland areas or in

existing agricultural fields. These temporary impacts primarily include borrow areas, ditch clean outs, and construction equipment disturbance areas. The permanent impacts associated with the project would be caused by the construction and footprint of the water conveyance flumes, the repaired center levee, the repaired north levee, the relocated levee in Unit A, and the new levees in Unit F. Therefore, the permanent impacts associated with this project would be approximately 11-acres of forested wetlands and approximately 7-acres of emergent wetlands.

The applicant has been working on alternatives, avoidance, and minimization in conjunction with Ducks Unlimited, the Natural Resources Conservation Service, and the Missouri Department of Conservation. In regards to mitigation to off-set the impact to aquatic resources, there is over 414-acres of wetland enhancement associated with the project as stated above and the applicant has also proposed an additional 11-acres of tree plantings to compensate for the tree clearing associated with levee construction and ditch clean out.

LOCATION MAPS AND DRAWINGS: See attached maps. This large-scale project is difficult to fit on 8x10 sheets. If it is necessary for you to view or review more detailed plans contact Rob Gramke at the number below, contact the applicant's agent listed above, or visit the public notice on our website at www.mvs.usace.army.mil/permits/pn.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Rob Gramke, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8187. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to robert.gramke@mvs02.usace.army.mil.

AUTHORITY: This permit will be issued or denied under the following: Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The applicant has coordinated with the Missouri State Historic Preservation Office and received a letter stating that adequate documentation had been provided and that there will be “no historic properties affected” by the current project. However, the St. Louis District will further evaluate the site and will evaluate any additional information provided by the State Historic Preservation Officer and the public in response to this public notice.

EVALUATION OF PROBABLE IMPACTS: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

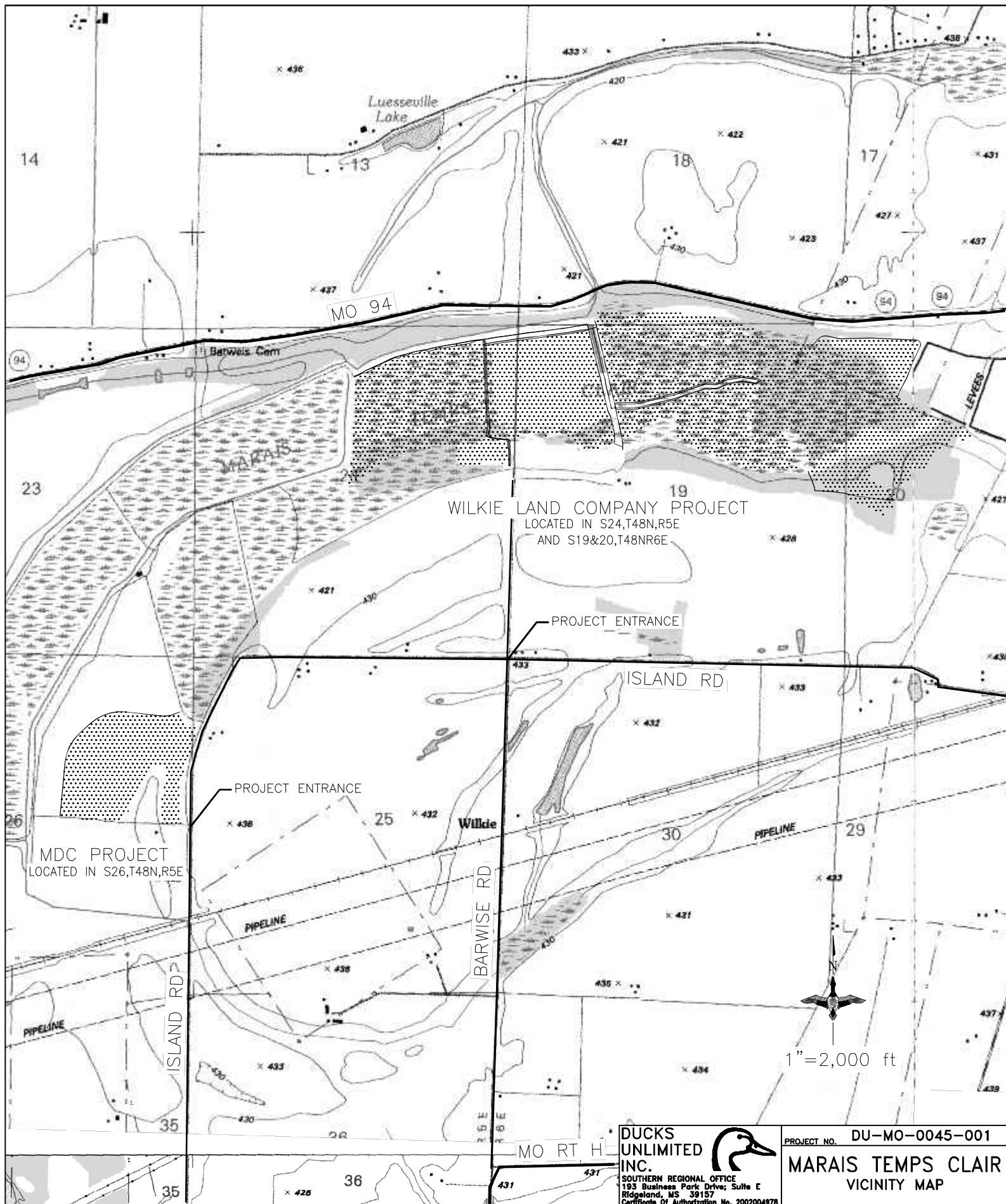
Solicitation of Comments From The Public: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

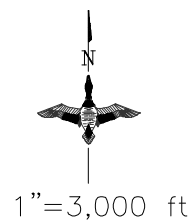
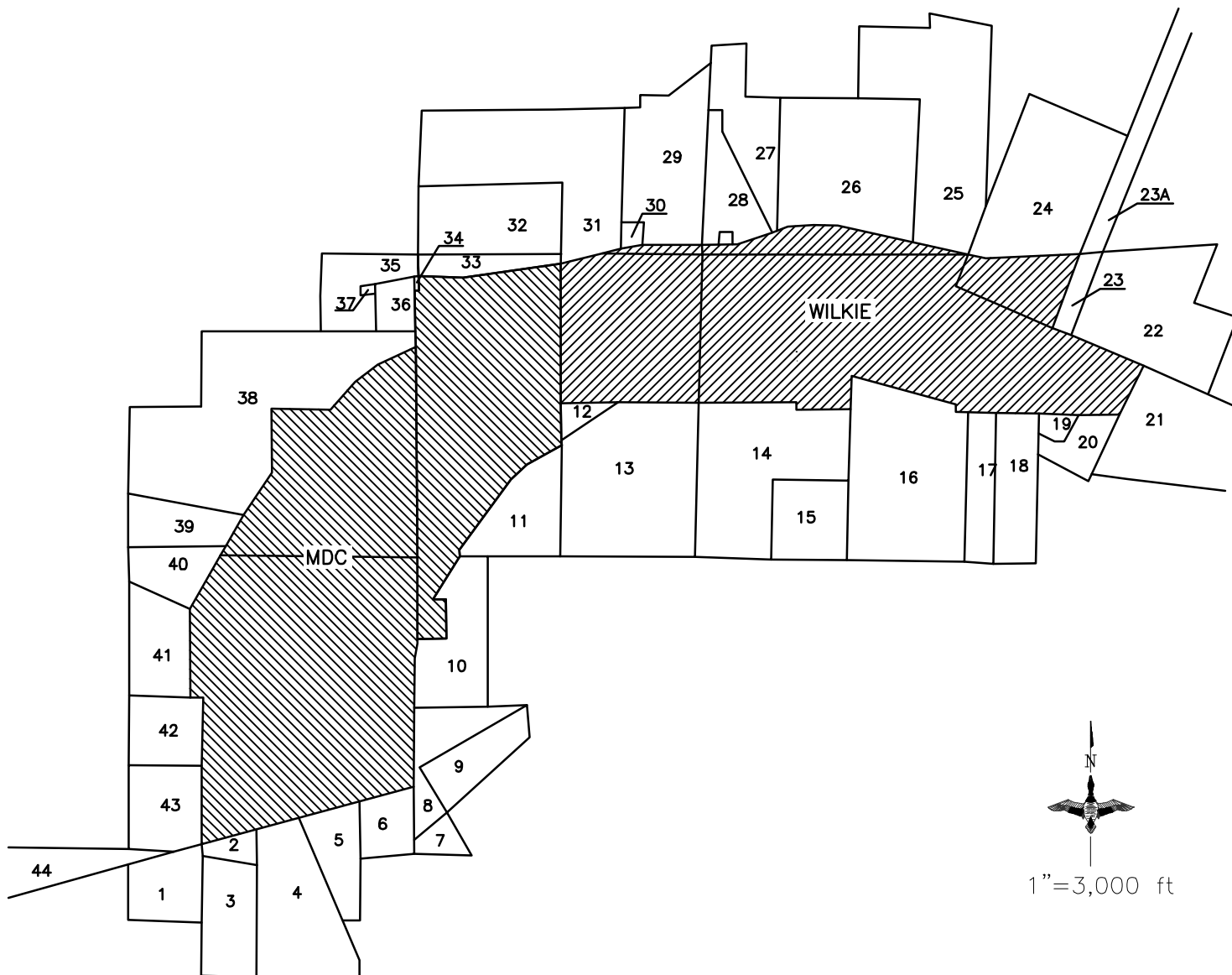
DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.







UNIT 6 BORROW AREA
MAXIMUM 10,000 CY (AVG DEPTH 1')

<u>TREE PLANTING SITES</u>	
#1	3 AC
#2	5 AC
#3	3 AC





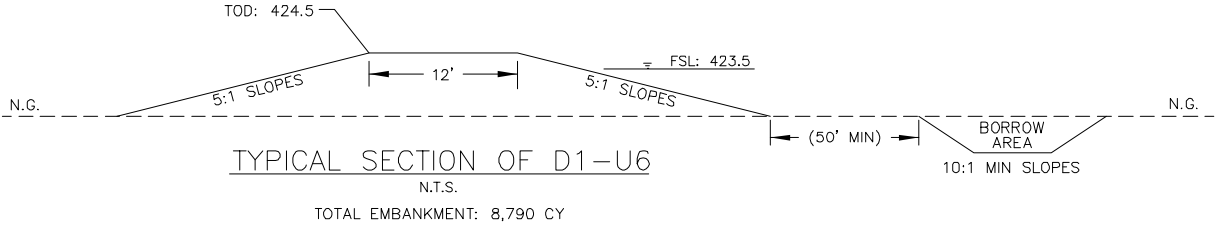
UNIT 6A
AREA — 90 ACRES

UNIT 6B
AREA — 56.3 ACRES
FSL—423.5 E.S.—424.0
DIKE — ELEV. 424.5
12' TOP WIDTH OF DIKE
5:1 FRONT SLOPES
5:1 BACK SLOPES

DIKE 1-UNIT 6
STA 0+00



1"=500 ft



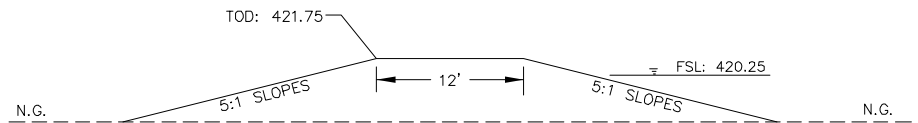
TYPICAL SECTION OF D1-U6
N.T.S.

TOTAL EMBANKMENT: 8,790 CY

**DUCKS
UNLIMITED
INC.**
SOUTHERN REGIONAL OFFICE
193 Business Park Drive; Suite E
Ridgeland, MS 39157
Certificate Of Authorization No. 2002004978



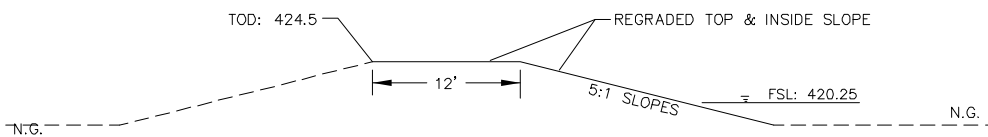
PROJECT NO. DU-MO-0045-001
MARAIS TEMPS CLAIR
MDC PLAN & XSEC



TYPICAL SECTION OF DIKE 1- UNIT A

N.T.S.

TOTAL EMBANKMENT: 5,685 CY



TYPICAL SECTION OF NORTH LEVEE

N.T.S.

STA 0+00 - 22+37

TOTAL EMBANKMENT: 614 CY

**DUCKS
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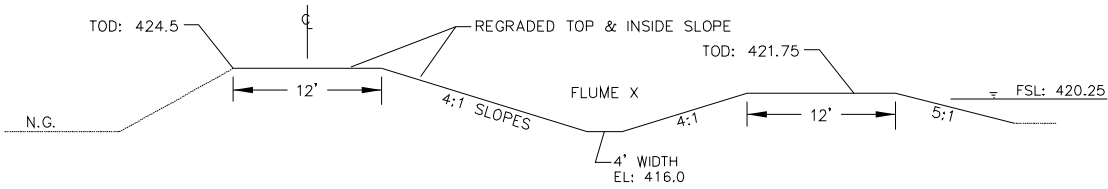
SOUTHERN REGIONAL OFFICE
193 Business Park Drive, Suite E
Ridgeland, MS 39157
Certificate Of Authorization No. 2002004978



PROJECT NO. DU-MO-0045-001

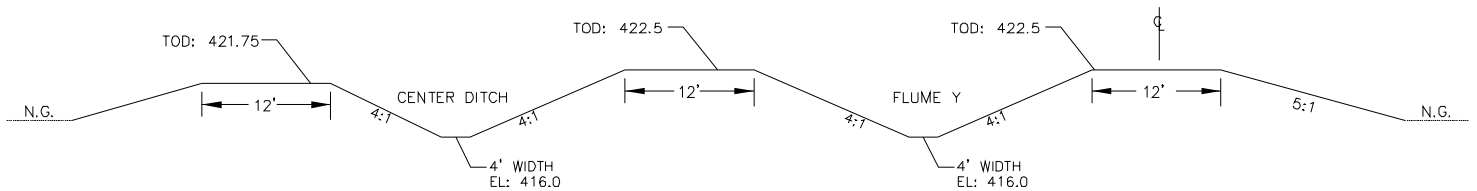
MARAIS TEMPS CLAIR
WILKIE PLAN & XSEC SHEET 1





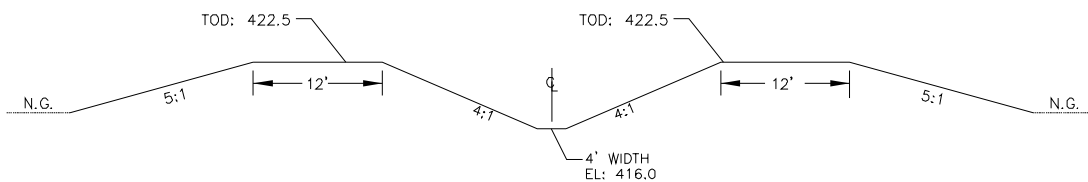
TYPICAL SECTION OF NORTH LEVEE

N.T.S.
STA 22+37 - 39+50
TOTAL EMBANKMENT: 7,560 CY



TYPICAL SECTION OF CENTER LEVEE

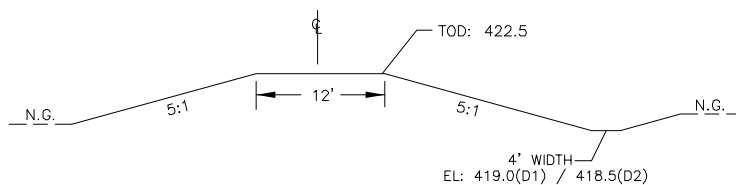
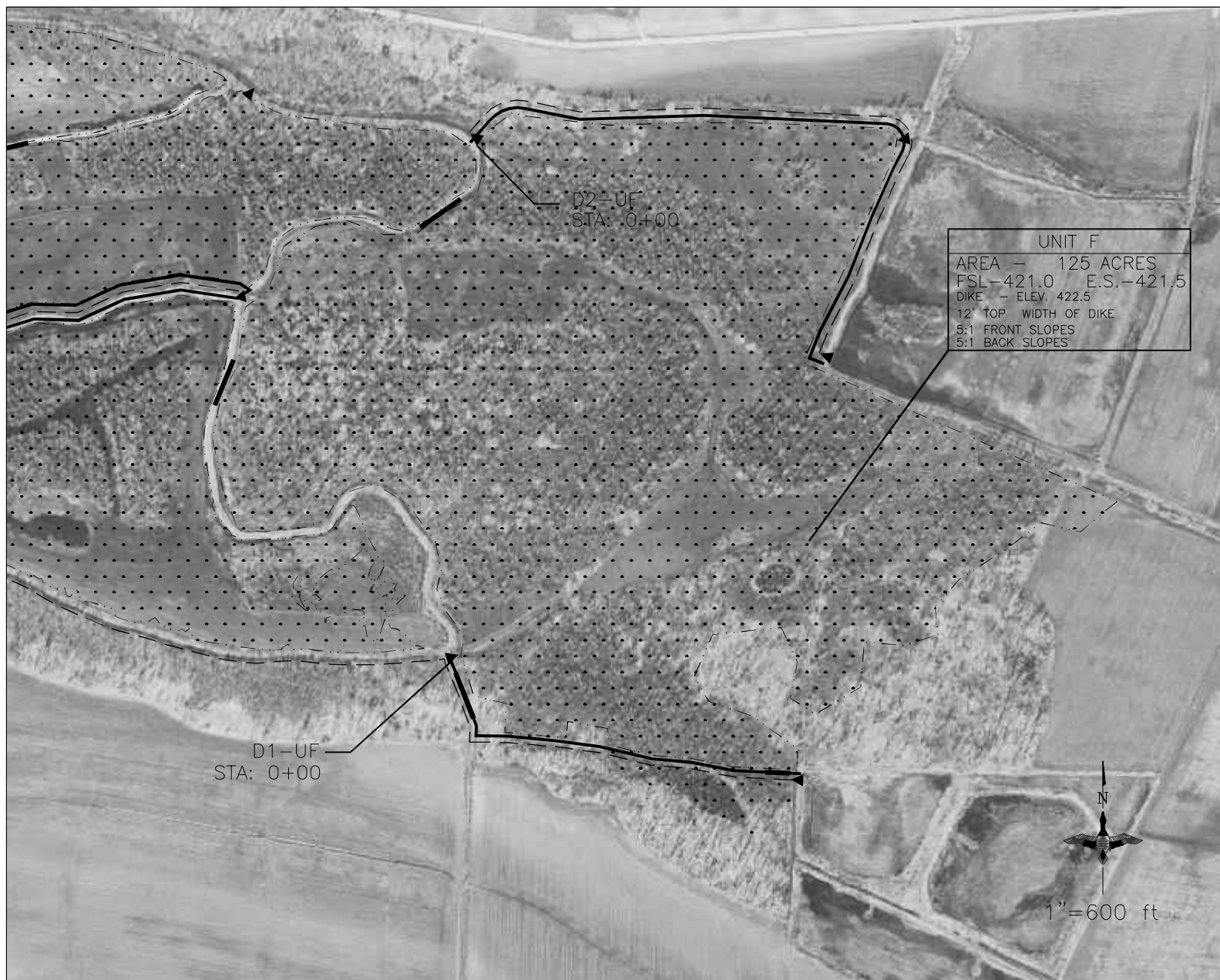
N.T.S.
STA 7+11 - 21+80
TOTAL EMBANKMENT: 13,736 CY



TYPICAL SECTION OF FLUME Z

N.T.S.
TOTAL EMBANKMENT: 14,047 CY





TYPICAL SECTION OF DIKE 1 & 2-UNIT F
N.T.S.

TOTAL EMBANKMENT: 2,879 CY





WATER CONTROL STRUCTURE DETAILS

WCS Y1 - 48" CULVERT W/ FLAP GATE
(REPLACES 48" CULVERT W/ SCREW GATE)

WCS Y2 - 48" CULVERT

WCS Y7 - 48" CULVERT

WCS Y8 - 48" CULVERT

WCS A2 - 24" CULVERT W/ FLAP GATE

WCS F2 - 24" CULVERT W/ FLAP GATE

(A2 & F2 ALLOW WATER TO ENTER PROJECT IF DESIRED)

WCS G1 - 36" CULVERT W/ FLAP GATE
(REPLACES 30" CULVERT W/ SCREW GATE)

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PROJECT NO. DU-MO-0045-001

MARAIS TEMPS CLAIR
OFFSITE DRAINAGE OVERVIEW



EMERGENCY SPILLWAY



PROPOSED LEVEE



EDGE OF WATER



FLAT BOTTOM DITCH



FIELD SWALE



WATER CONTROL STRUCTURE



PROPOSED WETLAND UNIT



EXISTING WELL LOCATION

